

EXHIBIT 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

-----X

SAN DIEGO UNIFIED PORT DISTRICT, a
public corporation; and CITY OF
SAN DIEGO, a municipal corporation,
Plaintiff, Case No.
vs. 3:15-cv-00578-
WQH-AGS
MONSANTO CORPORATION, SOLUTIA INC.
and PHARMACIA CORPORATION,
Defendant.

-----X

DEPOSITION OF LISA A. RODENBURG, Ph.D.
Parsippany, New Jersey
June 14, 2019

Reported by:
MARY F. BOWMAN, RPR, CRR
JOB NO. 161636

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June 14, 2019

9:10 a.m.

Deposition of LISA A. RODENBURG,
Ph.D., held at the offices of Kelley Drye
& Warren, LLP, One Jefferson Road,
Parsippany, New Jersey, before Mary F.
Bowman, a Registered Professional Reporter,
Certified Realtime Reporter, and Notary
Public of the State of New Jersey.

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APPEARANCES:

For the Plaintiff SAN DIEGO

UNIFIED PORT DISTRICT:

KELLEY DRYE & WARREN

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Houston, TX 77027

BY: NANCY YANOCHIK, ESQ.

For the Plaintiff CITY OF SAN DIEGO:

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BY: BRETT LAND, ESQ.

1 APPEARANCES:

2
3
4 Attorneys for Defendant:

5 WHITE & WILLIAMS

6 1650 Market Street

7 Philadelphia, PA 19103

8 BY: THOMAS GOUTMAN, ESQ.

9 NATALIE MOLZ, ESQ.

10 DAVID HAASE, ESQ.

11
12 Also Present:

13 Amanda Hughes, Ph.D.,

14 Geosyntec Consultants

15
16 Robert DelVecchio, Videographer

17 TSG Reporting
18
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25

1 IT IS HEREBY STIPULATED AND
2 AGREED, by and between the attorneys
3 for the respective parties herein, that
4 filing and sealing be and the same are
5 hereby waived.

6 IT IS FURTHER STIPULATED AND
7 AGREED that all objections, except as
8 to the form of the question, shall be
9 reserved to the time of the trial.

10 IT IS FURTHER STIPULATED AND
11 AGREED that the within deposition may
12 be sworn to and signed before any
13 officer authorized to administer an
14 oath, with the same force and effect as
15 if signed and sworn to before the
16 Court.

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WITNESS	EXAM BY:	PAGE:
L. Rodenburg	Mr. Goutman	
	Mr. Land	

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1 date.)

2 Q. Am I correct, turning to Bates
3 2296, am I correct that PCB 11 is a
4 congener, correct?

5 A. I'm a little backwards and
6 confused, if you will forgive me, I'm
7 having trouble finding the page.

8 Q. You don't have to see the page
9 for this one.

10 PCB 11 is a congener, yes or no?

11 A. Yes, PCB 11 is a congener of
12 PCBs.

13 Q. There are 209 congeners, correct?

14 A. That is correct.

15 Q. And PCB 11, you've identified as
16 one that indicates the presence of
17 byproduct PCBs, is that correct?

18 A. That is correct.

19 Q. Because it is found -- virtually
20 unfound in commercial Aroclors, correct?

21 A. Virtually, yes.

22 Q. And -- this particular -- you
23 created this page?

24 A. Yes.

25 Q. It is titled, "PCB 11 is

1 congener was detected in paint pigments,
2 correct?

3 A. Correct.

4 Q. And the congener numbers appear
5 before the particular bar chart, right?

6 A. Correct.

7 Q. Particular bar, I should say,
8 each individual bar, correct?

9 A. Correct.

10 Q. Would you agree with me that
11 numerous PCB congeners are detected in
12 pigments, correct?

13 A. I think we talked about this last
14 time, it's not clear to me what Hu and
15 Hornbuckle were actually measuring.
16 Pigments are solid powders and what they
17 were measuring was -- I think the correct
18 term is colorants which are liquids that,
19 you -- you know Home Depot uses to add to
20 the paint to make it different colors.

21 So those colorants have other
22 things in them in addition to pigments.
23 And from the paper, it really wasn't clear
24 exactly what they were measuring.

25 So I think it is a little

1 misleading to say these congeners were
2 detected in pigments. I think it is
3 correct to say they were detected in
4 colorants.

5 Q. Well, the authors refer to it as
6 profiles of paint pigments, correct?

7 A. That's how they refer to it, yes.

8 Q. You think the authors got it
9 wrong?

10 A. Yeah.

11 Q. OK. So in any event, none of
12 these products, as far as you know, were
13 intentionally manufactured with PCBs,
14 correct?

15 A. As far as I know, that's correct.

16 Q. So these would reflect byproduct
17 PCBs, correct?

18 A. As far as I know, that is
19 correct.

20 Q. So my point is numerous
21 congeners, other than 11, 206, 208, 209,
22 are detected here, correct?

23 A. Correct.

24 Q. Many of those congeners are also
25 congeners found in Aroclors, correct?

1 A. Correct.

2 Q. So for example, we have
3 Aroclor -- appears to me to be Aroclor --
4 excuse me congener 1, 2, 3, 4, 6, 8 and 11,
5 does that -- are your eyes same as mine?

6 A. That's about what I see, yes.

7 Q. 12, 13, 15, right?

8 A. Yes.

9 Q. There is a cluster of numbers,
10 and I imagine they might coelude or there
11 might be some reason why they appear
12 together, but 18, 30, 20, 28, 21, 33,
13 correct?

14 A. Correct.

15 Q. 31?

16 A. Correct.

17 Q. 40, 41, 71, correct?

18 A. Correct.

19 Q. 52, 56?

20 A. Correct.

21 Q. 61, 70, 74, 76?

22 A. Correct.

23 Q. 66?

24 A. I believe that's 68.

25 Q. OK. 68.

1 77?

2 A. Yes.

3 Q. 78?

4 A. Yes.

5 Q. 90? 101, 113?

6 A. Yes.

7 Q. 95?

8 A. Yes.

9 Q. 106?

10 A. Yes.

11 Q. 108?

12 A. Yes.

13 Q. 110?

14 A. Yes.

15 Q. 114?

16 A. Yes.

17 Q. 115?

18 A. Yes -- well, I believe that's 110

19 and 115, yes.

20 Q. 110/115, correct?

21 A. Correct.

22 Q. They might coelude, is that it?

23 A. Yes.

24 Q. 114, right?

25 A. Yes.

1 Q. Is that 118?

2 A. Yes.

3 Q. 123?

4 A. Yes.

5 Q. 129, 138, 163?

6 A. Yes.

7 Q. 132?

8 A. Yes.

9 Q. 135, 151?

10 A. Yes.

11 Q. 142?

12 A. I think that's what that says,

13 yes.

14 Q. OK. 146?

15 A. Yes.

16 Q. 149?

17 A. Yes.

18 Q. 153, 158?

19 A. 168.

20 Q. 168, I'm sorry.

21 A. Yes.

22 Q. 160?

23 A. Yes.

24 Q. 161?

25 A. Yes.

1 Q. 187?

2 A. Yes.

3 Q. And 206, 7, 8, 9?

4 A. Yes.

5 Q. And then on page 9, you talk
6 about various locations in which
7 inadvertent PCBs were detected in various
8 bodies of water above the federal water
9 quality standard of 63 picograms per liter,
10 correct?

11 A. Correct.

12 Q. That included Halifax Harbor?

13 A. Yes.

14 Q. New York/New Jersey Harbor?

15 A. Yes.

16 Q. Delaware River?

17 A. Yes.

18 Q. Houston Ship Channel?

19 A. Yes.

20 Q. San Francisco Bay?

21 A. Yes.

22 Q. So if Monsanto had never invented
23 PCBs, just because of inadvertent PCBs,
24 those bodies of water would not meet the
25 federal water quality standard, is that

1 CERTIFICATE

2 STATE OF NEW JERSEY)

)ss:

3 COUNTY OF UNION)

4 I, MARY F. BOWMAN, a Registered
5 Professional Reporter, Certified
6 Realtime Reporter, and Notary Public
7 within and for the State of New Jersey,
8 do hereby certify:

9 That LISA A. RODENBURG, Ph.D.,
10 the witness whose deposition is
11 hereinbefore set forth, was duly sworn
12 by me and that such deposition is a
13 true record of the testimony given by
14 such witness.

15 I further certify that I am not
16 related to any of the parties to this
17 action by blood or marriage and that I
18 am in no way interested in the outcome
19 of this matter.

20 In witness whereof, I have
21 hereunto set my hand this 19th day of
22 June, 2019.

23
24 

25 MARY F. BOWMAN, RPR, CRR